

HOUSE BILL NO. 212

INTRODUCED BY J. ESSMANN

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A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING THE MONTANA BALLOT INTERFERENCE PREVENTION ACT; PROVIDING DEFINITIONS; PROHIBITING THE COLLECTION OF ANOTHER INDIVIDUAL'S BALLOT; PROVIDING EXCEPTIONS; SPECIFYING A PENALTY; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Short title.** [Sections 1 through 4] may be cited as the "Montana Ballot Interference Prevention Act".

NEW SECTION. **Section 2. Definitions.** As used in [sections 1 through 4], the following definitions apply:

(1) "Caregiver" means an individual who provides medical or health care assistance to the voter in a residence, nursing care institution, hospice facility, assisted living center, assisted living home, residential care institution, adult day health care facility, or adult foster care home.

(2) "Collect" means to gain possession or control of a ballot.

(3) "Family member" means an individual who is related to the voter by blood, marriage, adoption, or legal guardianship.

(4) "Household member" means an individual who resides at the same residence as the voter.

NEW SECTION. **Section 3. Ballot collection prohibited -- penalty.** (1) Except as provided in subsection (2), a person may not knowingly collect a voter's voted or unvoted ballot.

(2) This section does not apply to:

(a) an election official;

(b) a United States postal service worker or other individual specifically authorized by law to transmit United States mail;

(c) a caregiver;



- 1 (d) a family member; or
- 2 (e) a household member.

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4 **NEW SECTION. Section 4. Penalty.** A violation of a provision of [sections 1 through 4] is punishable
5 by a fine of \$500 for each ballot unlawfully collected.

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7 **NEW SECTION. Section 5. Codification instruction.** [Sections 1 through 4] are intended to be codified
8 as an integral part of Title 13, chapter 35, and the provisions of Title 13, chapter 35, apply to [sections 1 through
9 4].

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11 **NEW SECTION. Section 6. Effective date.** [This act] is effective on passage and approval.

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